

## Panel Description

### Title

*Tracking the Virus Writer - The Legal Ramifications*

### Panel Chair

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### Panelists

TBD, FBI

TBD, US Attorney/DOJ

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TBD, European law enforcement

### Panel Abstract

The growing prevalence of destructive and denial of service virus attacks has brought law enforcement attention to the computer virus and malware situation. During this year, one virus writer has pleaded guilty to releasing a virus that caused numerous denial of service attacks and reportedly cost corporations and other organizations approximately 80 million dollars. And another virus writer has been investigated regarding the release of the LoveLetter worm that reportedly also millions of dollars worth of damage. With such devastating costs associated with this problem, it is essential for organizations and corporations to understand their roles, obligations, and expectations in the pursuit of these cases. This is a topic that affects both United States and International laws and law enforcement. This panel is composed of law enforcement professionals and those that assist in virus investigations and as such can provide insight into the legal requirements

and ramifications of virus writing and virus distribution. The panelists will discuss the following issues:

- Laws that address virus writing, distribution and damages
- Impact of international laws and jurisdictions
- Legal requirements for reporting and investigating virus related incidents
- Methods for reporting virus related incidents to law enforcement
- Information necessary when reporting such incidents
- Expectations for punitive or restitution matters

It is the aim of the panel to provide the online community with ways to effectively address this threat and affect decisions made about appropriate punitive or restitution matters.

### Position Statements/Summary

Remaining ones to be provided at a later time - when all panelists provide info.

Mr. Kuo will discuss the geographical locations of virus writers. He will discuss why they are located where there are and how those locations have evolved. For example, just five to ten years ago, most people thought virus writers were from Bulgaria, or some other Eastern Block country. In actuality, the scene shifted west, to Europe, then to the United States. And now further west, so that the Far East has now become a player in this field, as seen in the origin of the LoveLetter. Indonesia, where religious strife is rampant, is now her hotbed of virus writing. Effectively, Melissa and the immediate capture of David L. Smith dampened the virus writing mood of Americans, or they went underground. Mr. Kuo will also discuss how the virus writing community is organized and what law enforcement and the online community can do about it.

### Target Audience

Since the topic for this panel is two-fold: the requirements for legal pursuit of virus related incidents and the ramifications of such investigations, it seems the audience members should be those involved with or impacted by virus incidents – namely anyone who is online. The goal of the panel, however, is to provide the attendee with better insight into the requirements and ramifications so that their roles, obligations, and expectations for law enforcement involvement can be realized. In addition, it is expected that attendees who are better informed about the issues raised during the panel can affect the legislation regarding virus writing and distribution that may in turn have some affect on the perpetrators themselves.

The ideal target audience would be comprised of those directly involved in responding to or investigating virus related incidents within their organizations, as this is believed to establish a framework for dialogue between the audience members and the panelists.

## Biographical Information

Christine M. Orshesky, CISSP,CQA

Christine M. Orshesky is currently the President of *i-secure Corporation*, a company she founded to bring anti-virus protection strategies and education to a broader portion of the online community. She, however, started her career in Information Security with the FBI working on intrusion detection and computer virus response initiatives. Ms. Orshesky, then, transitioned to the private sector working as a contractor for the federal government performing security assessments, participating in certification and accreditation efforts, and developing virus response initiatives. Ms. Orshesky has most recently performed malicious logic incident management support and program development for the Department of Defense at the Pentagon. She is a recognized name in the anti-virus industry and has achieved professional recognition through publication and participation in international virus prevention and national information security conferences. In addition, Ms. Orshesky has obtained and maintains professional certification as a Certified Information Systems Security Professional (CISSP) and a Certified Quality Analyst (CQA).

Chengi “Jimmy” Kuo

Chengi Jimmy Kuo is the McAfee Fellow in the McAfee Division of Network Associates Inc. He has been with Network Associates, formerly McAfee Associates, since 1995. Prior to that, Jimmy was manager of Symantec's NAV (Norton Antivirus) Lab. He has also worked at IBM and other high tech companies on such things as PS/2 development, UNIX development, AI research, spelling technology, etc. Jimmy graduated from the California Institute of Technology in 1982 with a BS degree in Engineering and Applied Science. He has been the keynote speaker at the Virus Bulletin Conference and many other industry conferences and is one of the recipients of the Fed 100 Award for the year 2000.

Others to be provided when confirmed

## Technical Level of Content

It is not expected to be a highly technical discussion, however, the audience members should be familiar with the concept of viruses and other forms of malicious code, to include how they are spread, the functions they can perform, and the ways to detect and respond to them.